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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/573,042	03/22/2006	Tetsuya Yamashita	DK-US030515	8887
22919 7590 12/08/2009 GLOBAL IP COUNSELORS, LLP 1233 20TH STREET, NW, SUITE 700 WASHINGTON, DC 20036-2680				
EXAMINER				
KOSANOVIC, HELENA				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/573,042

Applicant(s)

YAMASHITA ET AL.

Examiner

HELENA KOSANOVIC

Art Unit

3749

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7, 8, 10-17 and 20-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 8 and 15-17, 23 is/are rejected.
- 7) ☒ Claim(s) 10-14, 20-22 and 24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-5, 7-8 and 15-17, are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee 2002/0189274 in view of Hsieh 6,000,246.

Lee teaches the invention as claimed:

Regarding claim 1, an indoor unit (fig. 1) of an air conditioner, comprising:
a main body casing 10, (fig. 9A); a front grill 40 provided forward of the main body casing and having a first opening 51 (fig. 2); a first movable panel 50 (fig. 9A) configured to move so as to open and close the first opening; a drive portion 73 (towards element 48 and element 41, fig. 2) configured to generate a driving force to move the first movable panel; and an opening and closing mechanism 43, 48 provided at the front grill and configured to move the first movable panel by the driving force of the drive portion to open and close the first opening; the opening and closing mechanism includes a first opening and closing mechanism 48, (fig 9A) for moving one end of the first movable panel by the driving force of the drive portion and a second opening and closing mechanism (close to same element as first opening and closing mechanism, but on opposite side of the casing, close to element 41b, fig. 9B) for

moving the other end of the first movable panel by the driving force of the drive portion; the opening and closing mechanism is configured so as to distribute the driving force from the drive portion to the first opening and closing mechanism (6-3) and the second opening and closing mechanism (figs. 9A and 9B).

Regarding claim 2, at least when mounting the front grill to the main body casing, the drive portion is provided in the main body casing (fig. 9A)

Regarding claim 3, the opening and closing mechanism includes a supporting member 72 (fig. 9A) mounted to the first movable panel to support the first movable panel.

Regarding claims 4 and 16, the opening and closing mechanism includes a speed reducing mechanism (unnumbered elements inside the element 18, fig. 9A) for transmitting the driving force of the drive portion to the first movable panel.

Regarding claims 5 and 17, the opening and closing mechanism includes a converting mechanism (unnumbered elements inside the element 18, fig. 9A) for converting a rotary motion transmitted from the drive portion to opening and closing movements of the first movable panel.

Regarding claim 7, the first opening and closing mechanism and the second opening and closing mechanism each are formed as a unit (figs. 9A and 9B).

Regarding claim 8, the first opening and closing mechanism and the second opening and closing mechanism are provided such that they are respectively fixed to inner surfaces of left and right sides of the said front grill (fig. 9B).

Regarding claim 23, the first movable panel has upper and lower ends (upper end where element 56 is located and lower end where element 55a is located, fig. 12b) that both move laterally away from the front grill when the first movable panel moves from a closed position closing the first opening to an open position opening the first opening (figs 3a-3b).

Lee is silent, regarding claim 1, about a power transmission shaft for transmitting the driving force from the drive portion to the first opening and closing mechanism and the second opening and closing mechanism so that the first opening and closing mechanism and the second opening and closing mechanism perform in synchronization and about drive portion being disposed to be deflected to one side of the first opening and closing mechanism and the second opening and closing mechanism.

Hsieh teaches a power transmission shaft 3 (fig. 1), for transmitting the driving force from the drive portion 2 to the first opening and closing mechanism 5 (fig. 1) and the second opening and closing mechanism 6 (fig. 3) so that the first opening and closing mechanism and the second opening and closing mechanism perform in synchronization (via gears inside the element 2, fig. 3), wherein the drive portion is disposed to one side of the first opening and closing mechanism (the inner side of element 141 on the left, that faces element 2, fig. 2) and one side of the second opening and closing mechanism (the inner side of element 141 on the right, that faces element 2, fig. 1)

It would have been obvious to one of ordinary skill in the art at the time of the invention to substitute the Lee two motors and moving mechanism with the Hsieh one

motor with two moving mechanism that works in synchronization because the substitution of one known element for another would have yielded predictable results of opening and closing the door.

Allowable Subject Matter

Claims 10-14 and 20-22 and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed 9/24/09 have been fully considered but they are not persuasive.

In response to the Applicant's argument newly amended claim 1, examiner notes that the drive portion is disposed to one side of the first opening and closing mechanism 141 (element on the left wherein 141 is located on the inner side of the opening and closing mechanism, fig. 2) and to one side of the second opening and closing mechanism (fig. 1, element 141 on the right, located on inner side of the opening and closing mechanism), as discussed above.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **HELENA KOSANOVIC** whose telephone number is (571)272-9059. The examiner can normally be reached on 8:30-5:00, Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve McAllister can be reached on 571-272-6785. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/H. K./
Examiner, Art Unit 3749
112509

/Steven B. McAllister/
Supervisory Patent Examiner, Art Unit 3749